

March 14, 2002



William Caton
Acting Secretary
Federal Communications Commission
TW-A325
445 Twelfth St., SW
Washington, DC 20554

Re: *Ex parte* presentation in: CC Docket Nos. 02-33, 01-337

Dear Ms. Salas:

On March 13, 2002, Media Access Project (MAP) Associate Director Harold Feld and Priscilla Grim of the Association of Independent Video and Filmmakers (AIVF) met with Stacy Robinson, Legal Advisor to Commissioner Abernathy.

Ms. Grim explained that AIVF has over 2000 members who make independent films, documentaries, and other content for distribution via television, cable, film outlets, and the Internet. Although the Internet does not constitute a substitute for other avenues of distribution, such as television or cable, it remains an important avenue of distribution and free expression for AIVF's members. Ms. Grim stressed that if ILECs have the power to act as media gatekeepers of DSL and other broadband platforms, it would make it difficult or impossible for AIVF members to utilize the medium for distribution. Mr. Feld and Ms. Grim urged that the line sharing regulations and other regulations that ensure competition for DSL provision remain in place.

Ms. Robinson stated that even if the Commission declared ILECs non-dominant in the provision of broadband services, and even if the Commission confirmed the tentative conclusion that DSL and other broadband services offered via telephone lines are "information services," the Commission would retain authority to impose interconnection and non-discrimination requirements.

In accordance with Section 1.1206(b), 47 C.F.R. § 1.1206, this letter is being filed electronically with your office today.

Sincerely,

Harold Feld
Associate Director

cc: Stacy Robinson